

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Christopher Geraci,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Women's Alliance, Inc. d/b/a Domestic)	
Violence and Rape Crisis Center, and)	Case No. 1:03-cv-129
Stark County, North Dakota,)	
)	
Defendants.)	

Before the Court are two motions filed by defendant Women's Alliance, Inc. d/b/a Domestic Violence ("Women's Alliance"). On November 23, 2005, Women's Alliance, filed a Motion to Dismiss the Third Cause of Action of Plaintiff's Amended Complaint. See Docket No. 38-1. On December 12, 2005, Women's Alliance filed a Motion to Dismiss the First and Second Causes of Action of Plaintiff's Amended Complaint. See Docket No. 39-1. Each motion seeks dismissal under Rule 12(b)(6) of the Federal Rules of Civil Procedure. Women's Alliance has attached exhibits to each motion. Having presented materials outside of the pleadings, the Court will treat both motions as motions for summary judgment. Fed. R. Civ. P. 12(b)(6). In doing so, "all parties shall be given reasonable opportunity to present all material made pertinent to such a motion by Rule 56." Id.; see Country Club Estates, L.L.C. v. Town of Loma Linda, 213 F.3d 1001, 1005 (8th Cir. 2000).

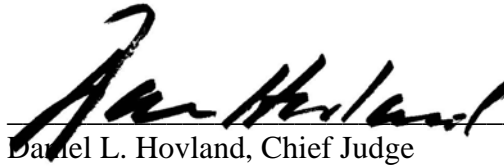
All parties shall have until January 16, 2006, to file additional material regarding Women's Alliance's Motion to Dismiss the Third Cause of Action of Plaintiff's Amended Complaint.¹ With

¹The Plaintiff has already filed a response brief and attached numerous exhibits. See Docket No. 43.

regard to Women's Alliance's Motion to Dismiss the First and Second Causes of Action of Plaintiff's Complaint, all parties shall have until January 30, 2006, to file additional material.²

IT IS SO ORDERED.

Dated this 9th day of January, 2006.

A handwritten signature in black ink, appearing to read "Dan Hovland", is written over a horizontal line.

Daniel L. Hovland, Chief Judge
United States District Court

²The Plaintiff has not yet filed a response brief and may choose to attach any relevant material at such time.